

ILLINOIS CIVIL SERVICE COMMISSION

REPORT
FOR FISCAL YEAR
2005



Chris Kolker, Chairman
George Richards, Commissioner
Raymond W. Ewell, Commissioner
Betty Bukraba, Commissioner
Barbara J. Peterson, Commissioner

Daniel Stralka
Executive Director



Daniel Stralka
EXECUTIVE DIRECTOR

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Chris Kolker
CHAIRMAN

COMMISSIONERS
George E. Richards
Raymond W. Ewell
Barbara J. Peterson
Betty Bulkraba

Governor Rod Blagojevich
State of Illinois
Springfield, Illinois 62706

Dear Governor Blagojevich:

We submit this report to you, to the members of the General Assembly, and to the citizens of Illinois. It is the Commission's 93rd Annual Report and covers the period of July 1, 2004 through June 30, 2005. In this report we have set forth both our responsibilities and accomplishments.

We appreciate the support and encouragement you have given us as we endeavor to carry out the requirements of the Illinois Personnel Code with the goal of providing the citizens of Illinois with a system of personnel administration based on merit principles and scientific method.

Respectfully submitted,

Chris Kolker, Chairman

George E. Richards, Commissioner
Raymond W. Ewell, Commissioner
Betty Bulkraba, Commissioner
Barbara J. Peterson, Commissioner

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MEMBERS OF THE ILLINOIS CIVIL SERVICE COMMISSION

The members of the Civil Service Commission are appointed for a period of six years.

<u>Name</u>	<u>Term Expires</u>
Chris Kolker, Chairman	March 1, 2011
George E. Richards, DVM, Commissioner	March 1, 2007
Raymond W. Ewell, Commissioner ¹	March 1, 2011
Barbara J. Peterson, Commissioner	March 1, 2011
Betty Bukraba, Commissioner	March 1, 2009

Chris Kolker

Chris Kolker, appointed as Chairman in March of 2004, graduated from Arizona State University in 1989 with a B.A. in political science. From 1990 to 1995 he worked as a legislative and political aide for Illinois House Speaker Michael J. Madigan. During those years, he also worked with legislators, as well as state and local officials, on a wide variety of governmental issues. In 1995 Chris entered law school at Southern Illinois University and graduated magna cum laude in 1998. He has worked in labor and personnel law since law school for both employers and employees.

Originally from East St. Louis, Chris currently resides in Fairview Heights with his wife and two daughters.

George E. Richards, DVM

Dr. Richards received his Bachelor and Doctorate degrees from the University of Illinois College of Veterinary Medicine. He practices Small Animal Medicine and Surgery in Danville. He serves as Chairman of Danville Area Community College Foundation, Director and Past President of Vermillion Advantage Economic Development Corporation, Secretary and Executive Committee member of Old National Bank-Danville. He is Chairperson and Treasurer of the Illinois Veterinary Medical Political Action Committee and serves on the Illinois State Veterinary Medical Association Board of Directors as Delegate to the American Veterinary Medical Association and as Chairperson of the Legislative Committee. He is involved in numerous community activities in Danville.

¹ The reappointments of Commissioners Ewell and Peterson are awaiting confirmation by the Senate.

Betty Bukraba

Betty Bukraba was appointed a Commissioner effective October 6, 2004. She retired from the office of the Clerk of the Circuit Court of Cook County, having served as the Director of Personnel Services for 14 years. As Director, she had responsibilities for all aspects of employee relations in the 2300 employee agency from applicant testing to retirement planning. While serving in this capacity, she was a recipient of the Cook County Distinguished Public Service award in 1999. She is the widow of a Chicago firefighter and raised their two children while operating a small business. Betty remains active in numerous neighborhood and civic organizations and causes.

Raymond W. Ewell

Raymond W. Ewell was born on December 29, 1928 in Chicago, Illinois. He earned a Bachelor of Arts degree at the University of Illinois (1949), a Master's degree from the University of Illinois (1951), and a Juris Doctor degree from the University of Chicago (1954). He was a State Representative in the Illinois General Assembly for eight terms from 1967 to 1983, where he served as chairman of the Higher Education Committee, the Illinois Legislative Black Caucus, and the National Society of State Legislators (1969). He served in the United States Army from 1954 to 1955.

In addition to being an attorney at law for 50 years, Mr. Ewell has been a teacher in the Chicago public schools, a gas station operator, a partner in a brokerage firm, bond counsel for the Cook County Board of Commissioners (1992), and a lobbyist for the City of Chicago, the Chicago Teacher's Pension Fund, the Illinois Trial Lawyers Association, and Cook County. While in the legislature he served as minority spokesman on the Elections, Agriculture, Conservation, Registration and Regulation, and Executive Committees. He also served on the committees for County and Township, Higher Education, Primary and Secondary Education, Judiciary, Public Utilities, Human Resources, and Motor Vehicles.

Mr. Ewell served as senior advisor to United States Senator Carol Moseley Braun and to John H. Stroger, President of the Cook County Board. He is a member of the Fourth Ward Young Democrats, an independent precinct captain for the Seventeenth Ward, a Seventeenth Ward Regular Democratic organization supervisor and instructor, and campaign manager for State Representative Charles Morrow, III. He is president of the Perry Avenue Block Club, a member of the N.A.A.C.P., the Cook County Bar Association, the Southtown Y.M.C.A., the Urban League, P.U.S.H., Southtown Y.M.C.A. Businessmen's Association, and Director of St. Carthage Grooming School for Boys.

Barbara J. Peterson

Barbara J. “Bobbie” Peterson was first appointed as a Commissioner on the Illinois Civil Service Commission on August 1, 2000.

She previously sat on the Governor's State University Board of Trustees. There she chaired the Personnel Committee, which oversees collective bargaining contracts, faculty and civil service salaries and employee benefits. She also represented GSU on the State University Civil Service System and was the university's founding member trustee for the Monsignor Ignatius D. McDermott Endowed Scholarship. She is currently on the Governor's State University Foundation Board of Directors.

Commissioner Peterson serves as a member of the Will/Kankakee Regional Development Authority. She also serves as secretary of the Will County Planning and Zoning Commission and had a leadership role in regional planning that led to the development of a comprehensive general plan for the six-county northeastern Illinois region.

A longtime community activist and volunteer, Commissioner Peterson is in her fourth term as the elected state central committee member of the 11th Congressional District. She is also involved in numerous special political projects and public relations activities.

Bobbie Peterson is a longtime resident of Will County. With her husband Charles, Bobbie spent 35 years as owner of a union plumbing and heating corporation and is still engaged in agriculture. Born and educated in Chicago, she is a graduate of Gregg Business College. The Petersons have four sons and eight grandchildren.

Overview

The Civil Service Commission began the year with an approved budget of \$391,900. This represented a 6.25% decrease from the previous fiscal year's appropriation. With the resignation of Leonard Sacks, the Commission's part-time administrative law judge in Cook County, the Commission entered the fiscal year with an historic low of four full-time employees. The duties of the remaining two administrative law judges were reallocated to make up for his loss and allow the Commission to continue to meet its statutory responsibilities.

On March 7, 2005 Governor Rod Blagojevich reappointed Chris Kolker as Chairman of the Civil Service Commission. The Senate confirmed his reappointment on April 21, 2005. His current term expires on March 1, 2011. Commissioners Ray Ewell's and Barbara Peterson's terms expired on March 1, 2005. However, they continue to serve on an interim basis pending reappointment.

The Commission's website, just developed the previous year, underwent a number of modifications throughout the year. The most significant of these was the development of a "Frequently Asked Questions" link to provide instant answers to recurring inquiries fielded by the Commission staff over the past 12 months.

The Commission purchased a new multi-function copier-printer-scanner-fax machine from a BEP-certified vendor to replace the antiquated copier and fax machines in its Springfield office. A similar, but smaller, machine was purchased for the Chicago office. These purchases represented the Commission's first digital equipment purchases with an eye to greater utilization of the State's electronic information and document management capabilities to benefit the Commission and those it serves in the future. In addition, the Commission abandoned its old TTD system in exchange for an updated computerized TTY system for hearing-impaired constituents.

The Commission continues to review and update internal practices. For example, additional simplifications were made to meeting agendas. An Appeal Activity Log was developed and introduced this fiscal year to better monitor appeal progress and aid in statistical tracking. In line with this, open appeal meetings were instituted to ensure all appeals were progressing to timely dispositions. Also, starting this fiscal year all appeal documents are maintained on a common network drive accessible by all employees as opposed to the historical practice of maintaining electronic copies of documents on the computer of the employee who developed the document. This made them accessible for the rest of the staff. Additional uses for this initiative were developed and introduced throughout the year.

The Commission's outreach efforts continued with individual agency meetings and participation in a human resources class forum at the University of Illinois – Springfield.

DUTIES OF THE COMMISSION

Guided by merit philosophy, the members of the Commission and its staff carry out the following statutory responsibilities:

1. To disapprove personnel rules, or their amendments, promulgated and submitted by the Director of Central Management Services.
2. To approve the classification plan submitted by the Director of Central Management Services, and approve proposals for new or amended class specifications and for the abolition of existing classes under the classification plan.
3. Upon recommendation of the Director of Central Management Services, the Commission approves the exemption from Jurisdiction B of those positions which, in its judgment, bear principal administrative responsibility for the determination or implementation of policy.
4. Upon identification of instances of noncompliance, the Commission is responsible for ensuring the enforcement of the Personnel Code and Rules through the issuance of directives for compliance. In ensuring compliance with the Personnel Code and Rules, the Commission is authorized to conduct an audit program of personnel activities, actions, and programs.
5. For certified employees who are discharged, suspended for more than 30 days in a twelve-month period, or demoted, the Commission hears and determines the written charges and renders decisions which are binding upon the employing agency.
6. The Commission hears appeals by certified employees who are involuntarily transferred from one geographical area to another, or who question the allocation of their position under the classification plan.
7. The Commission hears or conducts an investigation of layoff appeals by certified employees where the basis of the appeal is that provisions of the Personnel Code or Rules have been violated.

During Fiscal Year 2005, the Commission was active in these areas as the following detailed report indicates.

(1) REVIEW OF PERSONNEL RULES AND LEGISLATION

The drafters of the Personnel Code envisioned broad enabling statutes giving the Director of Central Management Services extensive discretion to implement the broad provisions of the Code through the promulgation of rules. As a check and balance to this power, the Director is to submit proposed rules and/or amendments to the Commission, and the Commission has the authority to disapprove them.

To ensure the Personnel Rules promulgated by the Department of Central Management Services accurately implement the authority outlined in the Personnel Code, and to assure the Code continues to adhere to the principles of merit employment, the Civil Service Commission monitors legislative action for changes to the Personnel Code or Rules.

(2) CLASS SPECIFICATIONS

A sound system of position classification is essential to carrying out the objectives of a merit personnel system. The classification plan establishes the basis for ensuring that employees performing work of the same nature, level of difficulty and complexity are paid within the same salary range, dependent on length of service and excellence of performance. The specifications further set forth the legal requirements for selection of those who desire to enter State service and the promotion of present employees who seek advancement within the career system. So that personnel decisions can be based upon the factual basis of existing assignments, the position classification system identifies the duties performed and responsibilities assigned by individual employees. The Commission has the responsibility of approving all amendments to the classification plan including class specifications.

During Fiscal Year 2005 the Commission reviewed and acted on 48 amendments to the classification plan. Because of their cooperative working relationship, the staffs of the Commission and the Department of Central Management Services resolved all problems identified in the amendments submitted. Consequently, all issues which could have resulted in a recommendation for the Commission's disapproval were resolved.

New Classes <u>Approved</u>	Revised Classes <u>Approved</u>	Abolished Classes <u>Approved</u>	Submitted Classes <u>Denied</u>
15	15	18	0

(3) EXEMPTIONS OF POSITIONS BEARING PRINCIPAL ADMINISTRATIVE RESPONSIBILITY FOR POLICY

A long-standing significant issue in merit systems is the determination of those positions which should be subject to appointment and dismissal at the discretion of the administration. In the Personnel Code, the legislature specifically provided for most major exemptions, such as those for all positions in the legislative and judicial branches, of directors and assistant directors of executive agencies, and of members of boards and commissions. In positions below the director, assistant director, board or commission level, the legislature chose to grant the Director of Central Management Services and the Civil Service Commission joint authority to exempt positions from the Personnel Code. Under this provision, agencies request and the Director of Central Management Services issues a recommendation as to whether positions that bear principal administrative responsibility for the determination of policy or principal responsibility for the implementation of policy should be exempted. This recommendation is then submitted to the Civil Service Commission for approval. The impact upon the merit system of decisions made with respect to the exemption of positions from the provisions of the Personnel Code is obvious.

In carrying out this function, the Commission not only acts to approve exemptions recommended by the Director, but also monitors all positions that have been approved for exemption to ensure that they are used as presented at the time of approval. Amendments to these positions are evaluated to ensure that only positions that continue to qualify for exemption remain exempt. The Commission received a total of 99 exemption requests in Fiscal Year 2005. Of those, 87 were approved, 3 were denied, 1 was rescinded and 8 were submitted and later withdrawn. Set forth on the following page is a listing of the number of exemptions for each agency. A breakdown of the Commission's actions for Fiscal Year 2005 follows on the succeeding pages.

REPORT ON EXEMPT POSITIONS
(as of June 30, 2005)

<u>Agency</u>	<u>Total Employees</u>	<u>Number of Exempt Positions</u>
Aging	158	6
Agriculture.....	577	17
Arts Council.....	22	1
Capitol Development Board	15	0
Central Management Services	1679	119
Children and Family Services.....	3402	41
Civil Service Commission	4	0
Commerce & Econ. Opportunity	456	60
Commerce Commission.....	44	0
Corrections.....	14,246	116
Criminal Justice Authority.....	80	5
Deaf and Hard of Hearing Comm.	7	1
Developmental Disabilities Council	10	1
Emergency Management Agency	116	1
Employment Security	1892	26
Environmental Protect. Agency	1099	16
Fin. & Prof. Regulation.....	802	40
Guardianship and Advocacy	109	6
Historic Preservation Agency	355	8
Human Rights Commission	11	2
Human Rights Department	147	7
Human Services	14,867	59
Investment Board.....	4	1
Labor.....	75	7
Labor Relations Board Educational	15	2
Labor Relations Board Local.....	1	0
Labor Relations Board State	20	2
Law Enforce. Trng. & Standard Bd.	24	1
Medical District Comm.	2	0
Military Affairs.....	146	3
Natural Resources.....	1732	27
Pollution Control Board.....	26	3
Prisoner Review Board	24	0
Property Tax Appeal Board	24	2
Public Aid	2201	24
Public Health	1114	32
Revenue	2024	58
State Fire Marshal.....	137	8
State Police	1494	6
State Police Merit Board.....	5	1
State Retirement Systems	83	1
Transportation.....	2815	1
Veterans Affairs.....	1155	4
Workers Comp Commission.....	170	9
TOTALS	53,389	692

EXEMPTION REQUESTS SUBMITTED IN FY 2005²

Aging	1 PSA exemption granted 1 PSA submitted and withdrawn
Agriculture	1 SPSA exemption granted
Central Management Services	26 SPSA exemptions granted 2 SPSA submitted and withdrawn
Children & Family Services	1 SPSA exemption granted 1 SPSA exemption rescinded
Commerce & Economic Opportunity	2 SPSA exemptions granted 1 PSA exemption granted
Corrections	7 SPSA exemptions granted 3 PSA exemptions submitted and withdrawn
Employment Security	1 SPSA exemptions granted
Environmental Protection Agency	6 SPSA exemptions granted 1 SPSA exemption submitted and withdrawn
Financial & Professional Regulation	3 SPSA exemption granted 3 SPSA exemptions granted until 10/31/05 1 SPSA exemption submitted and withdrawn 1 SPSA exemption denied
Human Services	1 SPSA exemption granted 1 PSA exemption denied
Historic Preservation	3 SPSA exemptions granted
Illinois Criminal Justice Information Authority	1 SPSA exemptions granted 1 PSA exemption granted
Natural Resources	1 SPSA exemption granted 1 AA II exemption submitted and withdrawn 1 SPSA exemption submitted and withdrawn
Public Aid (now Healthcare and Family Services)	4 SPSA exemptions granted 1 SPSA exemption rescinded 1 SPSA exemption submitted and withdrawn

² Two of the requests were acted upon at the first meeting of Fiscal Year 2006.

Public Health	8 SPSA exemptions granted
Revenue	9 SPSA exemptions granted
State Fire Marshal	1 SPSA exemptions granted 1 PSA exemption denied
State Police	2 SPSA exemptions granted
Veterans' Affairs	2 SPSA exemptions granted
Workers' Compensation Commission	2 SPSA exemptions granted

(4) RULE VIOLATION AND COMPLIANCE ACTIVITY

A merit system can only be as effective as the people who administer it will permit. Recognizing that pressures exist to circumvent the merit system and to provide a bulwark against the erosion of merit system standards, the legislature placed in the Civil Service Commission the responsibility for ensuring that personnel activities are carried out in compliance with the Personnel Code and Personnel Rules along with the authority to direct compliance where it finds violations. In carrying out this mandate, the Commission has historically utilized two basic approaches.

First, it investigates all allegations of noncompliance furnished to the Commission or brought to the attention of its staff to determine whether there was a violation of the statute and/or its implementing rules. There was one appeal of Personnel Code and/or Rule violation filed in Fiscal Year 2005, ending in the employee's appeal being dismissed. There was another such appeal remanded to the Commission from the Circuit Court of Cook County in which the Commission, after a hearing, determined that a violation of the Personnel Code occurred.

Second, the Commission staff conducts reviews and audits of personnel activities as carried out by the Department of Central Management Services and the operating agencies. It has been the practice of the Commission to audit compliance activities with the resources remaining after it completes its other statutory responsibilities, including hearing employee allocation and discharge appeals, investigating layoff appeals, and reviewing proposals made by the Director of Central Management Services for amendments in the Classification Plan or for exemption of policy-making positions. Additionally, the audit explores areas of innovation or approaches in personnel programs which can be shared with other operating agencies for the benefit of all involved in the state personnel management function. The Commission did not conduct any audits in Fiscal Year 2005.

The Personnel Code also provides for appointments to State service in accordance with the principle of merit and fitness which is determined by the use of examination methods in areas of education, experience, cultural knowledge, capacity, knowledge, manual skill, linguistic ability, character, physical fitness, and psychological fitness. There are occasions, however, where examinations are not feasible and in order to provide flexibility the Code provides for three types of appointments, which can be made without formal competitive examination. These are emergency, temporary, and provisional appointments, all of which are limited by the Code.

Emergency appointments shall not exceed 60 days, shall not be renewed and may be made without regard to an eligible list. Notices of selections and terminations shall be reported immediately to the Director of Central Management Services. Temporary appointments may be utilized by persons in positions to perform temporary or seasonal work. No position shall be filled by temporary appointment for more than six months out of any 12-month period. Provisional appointments may be utilized by persons in

positions when there is no appropriate eligible list available. No positions shall be filled by provisional appointment for more than six months out of any 12-month period.

The following are the numbers of consecutive non-merit appointments reported to the Commission in the monthly agendas. The agendas provide the number by agency and individual.³

July	-	120	January	-	41
August	-	102	February	-	45
September	-	78	March	-	52
October	-	47	April	-	75
November	-	38	May	-	104
December	-	44	June	-	111

The incumbents have been appointed to temporary appointments for more than six months in a twelve-month period or have received a number of non-merit appointments. Although these appointments are not in violation of the Personnel Code and Rules, they are reported for the information of the members of the Commission for purposes of monitoring.

(5) APPEALS FROM DISCHARGE, SUSPENSION OVER 30 DAYS IN A TWELVE-MONTH PERIOD, AND DEMOTION

The Civil Service Commission is responsible for conducting hearings on appeals of discharge and suspensions totaling more than 30 days in any twelve-month period, and geographical transfers. The Commission has the power to administer oaths, subpoena witnesses, and compel the production of books and papers in accordance therewith.

When an employee receives a written notice of discharge, they may appeal the action to the Commission. The appeal must be filed within 15 days after service of the written notice of discharge. The Commission then schedules a hearing within 30 days. At the hearing, the employee has a right to counsel and may question the witnesses who testify against him under oath. The burden of proof is upon the agency to prove that cause for discharge of the employee exists, and that discharge is the appropriate discipline.

In Fiscal Year 2005, the Commission rendered decisions in 51 discharge appeals. The Commission sustained 14 discharges. In 7 appeals the Commission imposed a suspension instead of discharge, and in 2 appeals the employee was returned to work with no penalty. 6 discharge appeals were dismissed for failure to appear; 5 for no jurisdiction; 14 by settlement; and 3 were withdrawn. There were 2 decisions in appeals of suspension over thirty days in a twelve-month period, one of which was upheld and in the other it was determined that there was no jurisdiction.

³ The numbers do not necessarily stand for new appointments, but can be the same appointment from the previous month.

The Commission is also responsible for hearing appeals of employees who have been demoted in their positions. Although this is not an extremely active area, it is important that employees have a right to appeal if they believe they have been unjustly demoted in their position. The Commission did not receive or render a decision in any demotion appeals during Fiscal Year 2005.

(6) APPEALS OF GEOGRAPHICAL TRANSFER AND ALLOCATION

Employees who are involuntarily transferred from one geographical area of the state to another may appeal such transfers to the Commission. The Commission did not receive or render a decision in any geographical transfer appeals during Fiscal Year 2005.

The Commission is also responsible for hearing employee appeals from decisions of the Director of the Department of Central Management Services where an employee believes that their position is misclassified. In allocation appeals, the burden is on the employee to prove the Director of Central Management Services has not properly classified their position. The Commission did not render a decision in any allocation appeals in Fiscal Year 2005.

(7) APPEALS OF LAYOFF

The Personnel Rules allow the layoff of certified employees due to lack of funds, material change in duties or organization, lack of work, the abolition of a position or for any of these reasons. Employees who feel that they have been laid off in violation of the Personnel Code or Rules may, within 15 days following the effective date of layoff, file a written appeal to the Civil Service Commission.

The Civil Service Commission is authorized to investigate the allegations made by the employee in the layoff appeal and may conduct a hearing if it is determined that substantial issues of fact or law remain unresolved. When the investigation is complete, a proposed finding is issued by staff and submitted to the employee and agency. If adopted by the Commission, the decision becomes a final administrative decision.

A total of 58 layoff appeals were decided by the Commission in Fiscal Year 2005, the bulk of them being 43 consolidated appeals filed by Department of Correction Captains who were laid off or accepted voluntary reductions following the abolishment of that title in 2004. The Commission denied all but one of these appeals. As a whole, the Commission denied 50 layoff appeals and granted 2 layoff appeals. 4 others were dismissed for failure to respond to Commission requests for documentation, and 2 were dismissed pursuant to settlement.

DECLARATORY RULING

The Rules of the Civil Service Commission allow for Declaratory Rulings as to material questions involving the interpretation of the Personnel Code, Personnel Rules or final orders of the Commission upon petition by interested or affected parties. Declaratory Rulings are only advisory. While this is an infrequent action, the Commission did receive one such petition in Fiscal Year 2005 and ruled that the agency's application of the Personnel Rules was appropriate.

GRIEVANCE COMMITTEE

The Director of Central Management Services is required to appoint a grievance committee to hear step 4 grievances comprising two employees of Central Management Services and one Commission employee with experience and knowledge in personnel administration and employee relations. The Director is allowed to substitute another agency employee in the absence of a Commission employee. The Commission staff did not participate in any grievance committee meetings in Fiscal Year 2005.

TRAINING

In order to properly administer the State's merit system, agency administrators must have knowledge and expertise in all areas of personnel. Often the most intimidating and frustrating aspect of personnel lies in the area of dealing with problem employees. It is the Commission's belief that while regrettable, discipline up to and including discharge is a necessary component of a good personnel system. The Commission, in an effort to make administrators aware of the requirements of successfully dealing with the disciplinary process, has offered agencies instruction in the disciplinary process. The Executive Director made such a presentation at the Department of Children and Family Services on February 9, 2005. In addition, numerous informal discussions on related issues occurred throughout the year between Commission staff and Agency administrators. The Commission staff is available to employees and agency administrators to respond to a variety of procedural inquiries regarding the operation of the Commission.

OTHER DUTIES - CHAIRMAN'S EX OFFICIO POSITION

The Chairman of the Commission is an ex officio member of the Interagency Committee on Employees with Disabilities. This Committee provides a forum for the diverse issues and concerns of the 2,561 persons with disabilities employed by executive agencies of the State of Illinois. This Committee, which operates with no budget and no paid staff, relies on the technical and financial support of its members and their respective agencies.

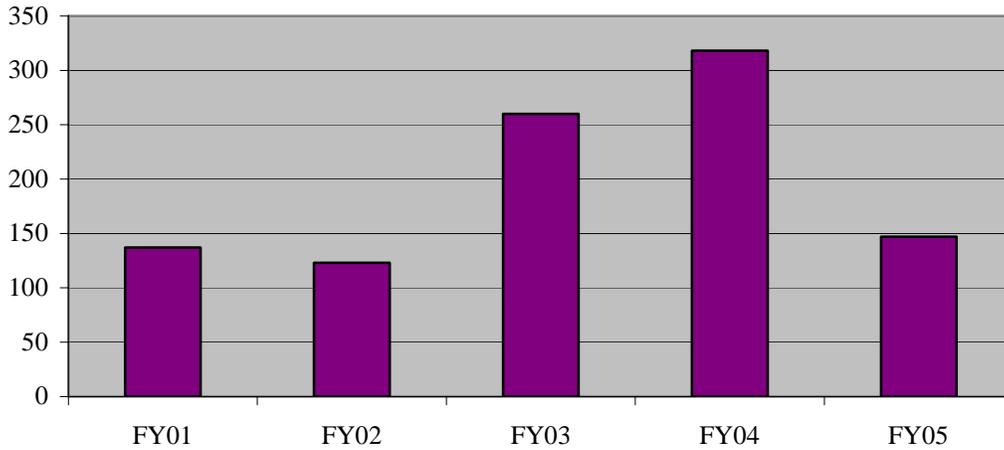
COURT REVIEW

Final administrative decisions of the Commission are subject to judicial review brought either by the employee or the employing agency. In Fiscal Year 2005, nine decisions were appealed to the Circuit Court under the Administrative Review Act.

TECHNICAL ACTIONS BY THE COMMISSION

	<u>FY01</u>	<u>FY02</u>	<u>FY03</u>	<u>FY04</u>	<u>FY05</u>
<u>Class Specifications</u>					
Requests Denied	0	0	0	0	0
New Classes Approved	22	5	12	5	15
Revised Classes Approved	61	83	127	42	15
Abolished Classes Approved	27	6	13	7	18
TOTALS	<u>110</u>	<u>94</u>	<u>152</u>	<u>54</u>	<u>48</u>
 <u>Exemptions</u>					
Exemptions Approved	20	28	95	199	87
Exemptions Denied	5	0	0	30	3
Exemptions Rescinded	2	1	13	0	1
Exemptions Requests Withdrawn	0	0	0	35	8
TOTALS	<u>27</u>	<u>29</u>	<u>108</u>	<u>264</u>	<u>99</u>
 TOTAL TECHNICAL ACTIONS	137	123	260	318	147

Technical Actions



CHARGES FOR DISCHARGE AND SUSPENSION⁴

Absenteeism.....	2
Abuse of the Public, Co-Workers or Service Recipients.....	3
Abuse of Time.....	2
Conduct Unbecoming.....	21
Disorderly or Disruptive Conduct.....	4
Failure to Follow Rules and Regulations.....	7
Failure to Perform Duties or Follow Supervisory Directives.....	4
Failure to Return from Leave of Absence.....	1
Falsification of Documents, Records or Other Information.....	5
Inappropriate Behavior.....	6
Insubordination.....	4
Negligent Performance of Duties/Incompetence.....	9
Sexual Harassment.....	2
Theft, Misuse of or Damage to State Property.....	4
Unauthorized Absence.....	6
Workplace Violence (Threats or Physical Altercations).....	3
TOTAL CHARGES.....	83

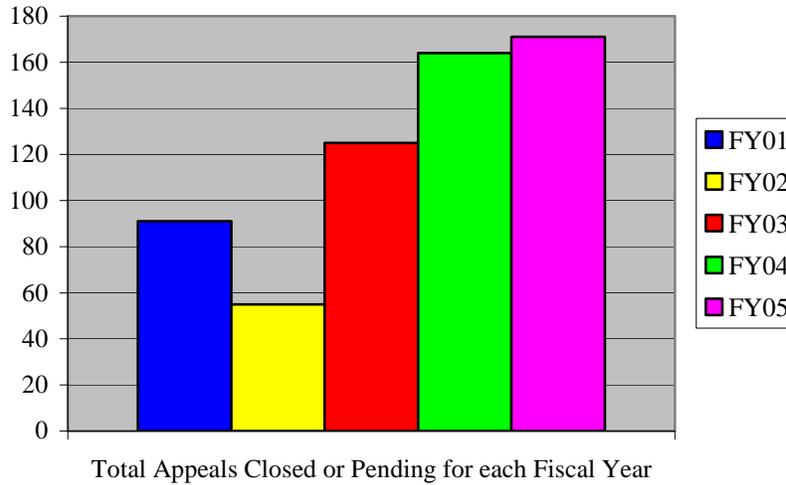
⁴ The total exceeds the number of employees discharged because multiple charges were at times made against some employees.

DECISIONS OF THE COMMISSION IN APPEALS

<u>A. Substantive Actions by the Commission</u>	<u>FY01</u>	<u>FY02</u>	<u>FY03</u>	<u>FY04</u>	<u>FY05</u>
Appeals granted:					
Employees reinstated after discharge (w/ suspension)	7	4	6	8	7
Employees reinstated after discharge (w/o suspension)	3	2	3	34	2
Position allocation granted	0	0	0	0	0
Layoff appeal granted	0	0	0	0	2
Geographical Transfer invalidated	0	0	0	0	0
Demotion invalidated	0	0	0	0	0
Suspension invalidated in part	0	1	0	0	1
Rule Violation appeal granted	1	0	0	1	1
<u>Total</u>	<u>11</u>	<u>7</u>	<u>9</u>	<u>43</u>	<u>13</u>
Appeals denied:					
Discharge appeal denied	16	10	5	11	14
Position Allocation denied	1	1	0	1	0
Layoff appeal denied	0	0	4	5	50
Geographical Transfer appeal denied	0	0	0	1	0
Demotion appeal denied	1	0	0	0	0
Suspension appeal denied	2	0	0	0	1
Rule Violation appeal denied	5	2	5	1	1
Declaratory Ruling	0	0	0	0	1
<u>Total</u>	<u>25</u>	<u>13</u>	<u>14</u>	<u>19</u>	<u>67</u>
Total Substantive Actions by the Commission	36	20	23	62	80
<u>B. Appeals Dismissed Without Decision</u> ⁵					
Discharges	26	16	33	23	28
Demotions	0	0	0	0	0
Position allocations	0	1	0	0	1
Layoff appeals	0	0	0	0	6
Geographical Transfers	0	0	1	2	0
Suspensions	0	0	0	0	1
Rule Violations	0	1	0	0	0
<u>Total</u>	<u>26</u>	<u>18</u>	<u>34</u>	<u>25</u>	<u>36</u>
C. <u>Appeals Pending June 30, 2004</u>	29	17	68	77	55
D. <u>Total Appeals Closed or Pending at End of Fiscal Year</u>	91	55	125	164	171

⁵ Includes appeals dismissed due to settlement, withdrawal, default (failure to appear or failure to respond to Commission inquiry), and lack of jurisdiction.

Commission Workload



APPEALS FILED BY TYPE

The following is a summary of appeals filed with the Commission by type during Fiscal Year 2005, along with a comparison chart for the past two fiscal years:

Discharge	30
Suspension	2
Demotion	0
Geographical Transfer	0
Allocation	2
Layoff	49
Rule Violation	2
Declaratory Ruling	1

Appeals Filed with the Commission by Type

